

**American Civil Liberties Union
of Montana**

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Testimony on SB 255

Chairman Laslovich, Members of the Senate Judiciary Committee

For the record, my name is Scott Crichton, I serve as executive director for the American Civil Liberties Union of Montana. We are a membership organization with over 2500 households paying dues to help us be here today to stand on record against SB 255. Our organization envisions a world where dignity, freedom and civil liberties are a reality for each individual.

I believe our state understands it is in its best interests to provide health insurance coverage for as many of its people as possible. And though I regret to say that prior to this hearing I have not had the opportunity to discuss the bill with the sponsor, the intent of this bills seems clear.

What is less clear is the impact were you to approve this proposed mandate to limit group insurance plans.

One of the worst things about this bill is that it is mandatory. SB 255 would impose restrictions on the flexibility that currently exists for certain public and private entities to decide on their own whether they best serve their customers by allowing coverage for same sex couples.

I don't think anyone from the insurance industry will argue it is a fiduciary risk. Were that the case, one would questions why New West and then Blue Cross Blue Shield made such coverage available. I would suspect, like is the case with the leading Fortune 500 companies, they actually see it in their financial best interest to provide coverage.

Indeed, in the long run, it makes fiscal sense to allow entities to make their own determination and thereby avoid the cost of a suit if they choose to do so. If a public entity, such as the University, were to implement this, the next step will be a lawsuit.

I urge you to vote Do Not Pass on SB 255